REMARKS

Claims 1-3, 5-18, 20 and 22-31 are pending. Applicant has amended independent Claims 1, 18 and 25 for clarification. Claims 4, 19, and 21 have been cancelled without prejudice, waiver, or disclaimer.

Claims 1-3, 11, 13, 16, 18-21, 23 and 25-31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,486,920 to Arai et al. ("Arai") in view of U.S. Patent Application Publication No. 2005/0047752 to Wood et al. ("Wood").

Claims 4-10, 12, 14-15, 17, 22 and 24 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Arai in view of Wood and further in view of U.S. Patent Application Publication No. 2003/0093792 to Labeeb et al. ("Labeeb").

To the extent the rejections have not been rendered moot by the cancellation of claims, Applicant respectfully traverses the rejections under §103 for at least the reasons described herein.

Section 103 Rejections

Independent Claims 1, 18 and 25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Arai in view of Wood. Applicant respectfully traverses the rejection on the basis that the combination of Arai and Wood fails to disclose or suggest all the recitations of independent Claims 1, 18 and 25. For example, Claim 1 recites a method of presenting channel content in a distributed network having a client device and a server device, the method comprising:

> evaluating tagged content;
> implementing a user profile comprising user selected criteria, *wherein the user profile comprises a stored data structure identifying content preferences in user-assigned order*, and wherein the user selected criteria comprises at least one content rating to exclude;
> creating a personalized channel at the client device, wherein the personalized channel comprises content from two or more predetermined channels, *wherein the personalized channel is automatically created through use of the user profile, wherein conflict is resolved when content from the two or more predetermined channels match the user profile and occur at the same time by selecting content from one of the two or more predetermined channels that matches a highest order preference in the user profile*, and *wherein the personalized channel excludes content based on the at least one content rating in the user profile*; and
> displaying the content on the personalized channel.

The primary reference, Arai, describes a receiving apparatus comprising a program information storing section for storing program information including program name, program start time and channel discriminating information, a program information search section for searching the program information stored in the program information storing section according to designated search conditions and for producing personalized program information resulting from the search, and a program guide display section for displaying a program guide including a personal channel including the personalized program information. (col. 2, lines 12-24). Arai also describes a system capable of searching programs according to a user's preference, and producing and displaying a "my channel" consisting of programs fulfilling the search conditions (e.g., fee) given from the user. (col. 8, lines 45-49). However, Arai is silent as to conflict resolution if content from two or more channels matches a user's preference. Arai provides no mechanism for resolving conflict of this nature. Specifically, Arai fails to describe or suggest a *user profile that comprises a stored data structure identifying content preferences in user-assigned order*, as recited in Claim 1. Arai fails to describe or suggest resolving conflict when content from two or more predetermined channels match the user profile and occur at the same time by *selecting content from one of the two or more predetermined channels that matches a highest order preference in the user profile*, as recited in Claim 1. Arai also fails to describe or suggest a personalized channel that *excludes content based on the at least one content rating in the user profile*, as recited in Claim 1.

The secondary reference, Wood, fails to overcome the deficiencies of Arai. Wood describes a video data recorder operating under control of a processor utilizing channel guide data and user entered selection criteria. The video data recorder also provides for recording of programming into personal channels into order to facilitate organization of the recorded shows. (para. 0010). Wood does not describe or suggest creating personalized channels at a client device as recited in Claim 1 and then displaying the content on the personalized channel. Wood merely describes recording programs via a video data recorder.

Wood also does not disclose or suggest a user profile comprising user selected criteria, wherein the user selected criteria comprises at least one content rating to exclude. The Action, however, cites paragraph 0042 of the secondary reference, Wood, as disclosing a user selected criteria that comprises at least one content rating to exclude and wherein the

personalized channel excludes content based on the at least one content rating in the user profile. (Action, page 3). The cited paragraph is set forth below.

> [0042] As has been discussed, the criteria database 104 stores user specified criteria for selection of shows for recording. The user may specify criteria for recording shows including a show title, a keyword such as actor or director name or text from a description of the show, a show class (such as action, mystery, childrens, etc.) and rating information (both parental control and quality ratings).

The cited paragraph merely describes the criteria used for selecting shows for recording. Nothing in this passage describes the *exclusion* of content based on a content rating.

Combining Arai and Wood would not have led to the claimed subject matter because Arai and Wood at least do not disclose implementing a user profile comprising user selected criteria, wherein the user profile comprises a stored data structure identifying content preferences in user-assigned order, and wherein the user selected criteria comprises at least one content rating to exclude. Arai and Wood do not disclose creating a personalized channel at a client device, wherein the personalized channel comprises content from two or more predetermined channels, wherein the personalized channel is automatically created through use of the user profile, wherein conflict is resolved when content from the two or more predetermined channels match the user profile and occur at the same time by selecting content from one of the two or more predetermined channels that matches a highest order preference in the user profile, and wherein the personalized channel excludes content based on the at least one content rating in the user profile.

As such, independent Claim 1 is not rendered obvious by the combination of Arai and Wood. Applicant respectfully asserts that the rejection of independent Claim 1 under 35 U.S.C. §103 is overcome. Additionally, Applicant submits that dependent Claims 2, 3 and 5-17 are patentable at least by virtue of the patentability of independent Claim 1, from which they depend and respectfully request the allowance thereof. For at least the same reasons described above with respect to independent Claim 1, Applicants respectfully assert that independent Claims 18 and 25, and all claims depending therefrom, are not rendered obvious by the combination of Arai and Wood.

Various Dependent Claims are Separately Patentable

The dependent claims are patentable at least per the patentability of the independent claims from which they depend. Moreover, many of the dependent claims are separately patentable.

For example, dependent Claim 2 recites "parsing the tagged content to evaluate the tags; and wherein the act of creating a personalized channel comprises repackaging content into the personalized channel." The recitations of Claim 2 are simply not described or suggested by Arai and Wood, alone or in combination. Accordingly, Claim 2 is separately patentable.

Dependent Claim 3 recites "parsing the tagged content to evaluate the tags; and wherein the act of creating a personalized channel comprises automatically redirecting selected content to the user." The recitations of Claim 3 are simply not described or suggested by Arai and Wood, alone or in combination. Accordingly, Claim 3 is separately patentable.

Dependent Claim 26 recites "the modified tag information displayed is an abbreviated programming guide." The recitations of Claim 26 are simply not described or suggested by Arai and Wood, alone or in combination. Accordingly, Claim 26 is separately patentable.

Dependent Claim 28 recites "a user input/output module that receives personalized channel content selections to be added to the personalized channel, wherein the analysis module adds the selected content to the personalized channel." The recitations of Claim 28 are simply not described or suggested by Arai and Wood, alone or in combination. Accordingly, Claim 28 is separately patentable.

Dependent Claim 29 recites "a profile interface module that accesses the user profile and provides tag information to the analysis module, the analysis module uses the profile tag information in selecting content to add to the personalized channel." The recitations of Claim 29 are simply not described or suggested by Arai and Wood, alone or in combination. Accordingly, Claim 29 is separately patentable.

Dependent Claim 30 recites "the modified tag information comprises a personalized channel of content." The recitations of Claim 30 are simply not described or suggested by Arai and Wood, alone or in combination. Accordingly, Claim 30 is separately patentable.

Dependent Claim 31 recites "a user input/output module that receives personalized channel content selections to be added to the personalized channel, wherein the analysis

module adds the selected content to the personalized channel." The recitations of Claim 31 are simply not described or suggested by Arai and Wood, alone or in combination. Accordingly, Claim 31 is separately patentable.

CONCLUSION

In view of the above, it is respectfully submitted that this application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

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Anthony DeRosa